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TO: City Planning Commission

FROM: Kimani Jeffrey, City Planner

RE: Small Lot Code Reform text amendment to Chapter 50 of the 2019 Detroit City Code, *Zoning*, relating to Intensity and Dimensional Standards and other housing regulations.

DATE: November 4, 2026

On November 5, 2026, the City Planning Commission (CPC) will hold a 6:00 p.m. public hearing to consider a text amendment that would amend Chapter 50 of the 2019 Detroit City Code, *Zoning*, pertaining to Small Lot Code Reform for intensity and dimensional standards and other housing items as follows, specifically to:

- Update intensity and dimensional standards for single- and two-family dwellings in the R1 (Single-family Residential District), R2 (Two-Family Residential District) and R3 (Low Density Residential District) zoning classifications, in order to make it easier to build single and two-family homes on vacant lots.

- Update provisions related to small-lots in order to make it easier to build single- and two-family homes on lots under a certain size threshold, as well as provide clarity through clean-up of relevant sections.

- Revise the nonconformity provisions to allow existing nonconforming residential structures that become damaged or destroyed, to be reconstructed or rebuilt within a specified timeframe, not to result in an increase in gross floor area.

- Update contextual setback requirements for single- and two-family dwellings and front rear setback requirements for townhomes in the R2 and R3 districts.

- Repeal, relocate, and reorganize zoning district intensity and dimensional standards within Article XIII; update standards for features permitted within setbacks; update terms and definitions and other minor or non-substantive changes as may be warranted.

BACKGROUND
In 2025, the former Duggan Administration sought to advance zoning amendments that were derived from work done by the City Planning Commission through an effort known as Zone Detroit (2018). That effort included multiple proposals intended to make it easier to build more housing in

Detroit as well as other zoning reforms. The Duggan Administration's proposal, coined, Build More Housing, proposed to:

- Expand housing types that can be built in R2 by-right (townhomes, triplexes, quads,)
- Allow more units to be approved in R2 only after public hearing
- Allow accessory dwelling units in R2-R6
- Allow apartments on commercial corridors by-right
- Reduce parking requirements
- Make it easier to rebuild houses on vacant lots

The effort included amendments to the residential districts, business districts and the SD1-2 Special Development, Mixed-Use Districts. On October 2, 2025, the City Planning Commission voted to recommend approval of the ordinance that encompassed those six proposals. However, once it reached the City Council in the Fall of 2025, the ordinance did not advance to a public hearing due to City Council's and some public concerns and opposition about the complexity of the proposal, how swiftly it was proceeding and the amount of content that it included without enough time for consideration. Some City Council Members also had hesitation about the ordinance due to the lack of time to review before being asked to vote on the matter prior to the November recess. There was also the consideration that the November elections were in this same period, and a new Administration was coming into office the following year. Ultimately, the BMH ordinance died in 2026 after it didn't receive the extension required to continue to remain Viable before the Council.

PROPOSAL

When Mayor Sheffield's Administration came into office, her Chief Operating Officer (COO) established a Planning, Zoning, Enforcement (PZE) Steering Committee to connect all departments that facilitate development in the city and create better cross-departmental collaboration and eliminate silos. The co-chairs of the PZE Steering Committee are the COO and City Planning Commission Director. Through this structure, the Administration took advisement from CPC staff on what aspects of zoning to approach based on work that had been studied previously.

Given, the Mayor's vision for Project 1000, to build 1,000 single-family homes, as well as the community feedback of 2025, CPC advised that the Steering Committee should first focus it's efforts towards making it easier to rebuild on vacant lots through small lot code reform. So, over the last several months Working Groups and the Steering Committee have all worked together to contribute to this goal of supporting the Mayor's vision. This culminated in what has come to be known to the public as Rise and Restore: Small Lot Code Reform (Project 1000).

For context, the Small Lot Code Reform text amendment will require review and action by the City Planning Commission and City Council, but is also planned to work jointly with other activities that do not require action by this Honorable Body, but should also be noted. Those include the following:

- ***Pre-approved Home Designs***: The Housing and Revitalization Department (HRD) and BSEED are building a library of pre-approved residential designs, opening pathways to expedited permitting for eligible plans. High volume builders can submit plans to add new permit-ready designs to the library, further expediting future developments utilizing the same designs. The design process is currently underway, with initial plans expected to be available to developers in early to mid-2027.

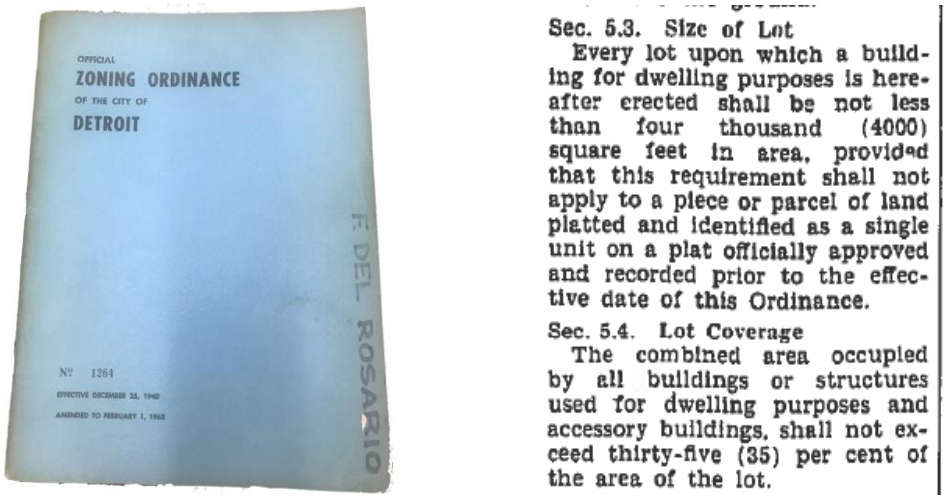
- ***Target Public Resources Where They Can Unlock Private Investment:***
  Project 1,000 will concentrate public resources where new housing will help create momentum for

additional private investment. “One-To-Four” Infill Housing RFPs: The Housing and Revitalization Department will offer bundled Detroit Land Bank Authority lots with subsidies to developers in targeted areas to develop gentle density through a mix of new construction single family homes, townhomes, condos, duplexes, triplexes, and quadplexes. The City also is working with the Detroit land Bank Authority to develop more programs that drive the market and spur new construction.

- ***Coordinated Infrastructure Improvements and Blight Elimination:***
  The General Services, Public Works, Construction and Demolition, and the Detroit Water and Sewerage Department will align their work on strategic blight elimination, infrastructure needs and other improvements that support new residential development.

POLICY ISSUE

The dimensional standards in the zoning ordinance establish the minimum size that a lot must be to be eligible to build a home. The current standards are out of alignment with over 90% of lots in the city, rendering the lots non-conforming to the rules. Other dimensional standards such as front, side and rear setbacks, as well as maximum lot coverage standards can also add to making a parcel harder to build on, requiring exceptions, administrative adjustments, variances and processes that add time, money and complexity to build single- and two-family homes. Minimum dimensional standards were first introduced when the first zoning ordinance was adopted for the City of Detroit and became effective in December of 1940. Since then, the dimensional standards have evolved slightly, but are still close to the original numbers. The original 1940 ordinance listed a minimum lot size of 4,000 square feet in area, which was increased by the 1960’s to the current minimum standard of 5,000 square feet and width of 50ft.


OFFICIAL
ZONING ORDINANCE
OF THE CITY OF
DETROIT

F. DEL ROSARIO

Nº 1264

EFFECTIVE DECEMBER 25, 1940

AMENDED TO FEBRUARY 1, 1963

Sec. 5.3. Size of Lot

Every lot upon which a building for dwelling purposes is hereafter erected shall be not less than four thousand (4000) square feet in area, provided that this requirement shall not apply to a piece or parcel of land platted and identified as a single unit on a plat officially approved and recorded prior to the effective date of this Ordinance.

Sec. 5.4. Lot Coverage

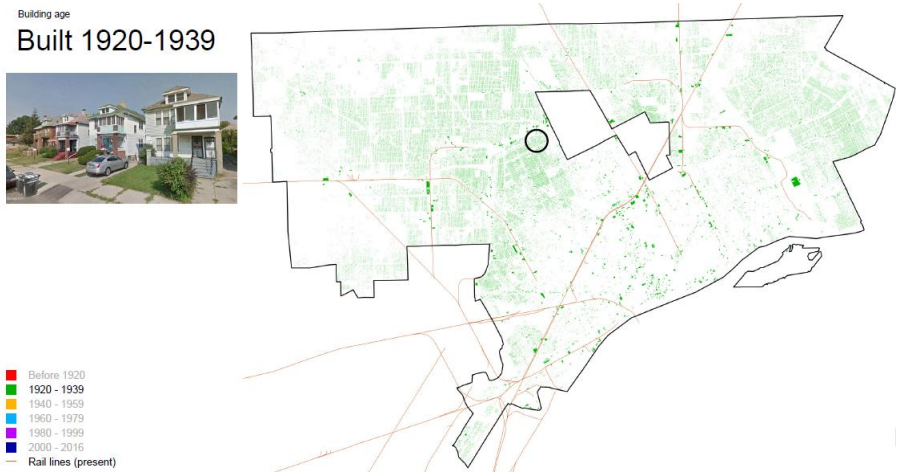
The combined area occupied by all buildings or structures used for dwelling purposes and accessory buildings, shall not exceed thirty-five (35) per cent of the area of the lot.

Dimensional language from Detroit’s first zoning ordinance (1940)

A good portion of the historic neighborhoods, homes and architecture that the city has come to be recognized for, were built before zoning was established. Many neighborhoods that are admired today might not be permissible under today’s current requirements. There lies the issue, that while zoning is certainly essential to protect the health, welfare and safety of communities, providing many benefits, there are some provisions within zoning policy that stem far back and may act as a barrier to the type of development that the city needs, such as infill housing. The maps below show that a large portion of Detroit was already built-out prior to the zoning ordinance ever taking effect in 1940, and much of this development does not meet the dimensional standards presently enacted and now subject of the proposed amendment.



Development in Detroit before 1920



Development in Detroit between 1920-1939

An analysis of lot area sizes and widths in the city show that the vast majority of lots do not conform with the current minimum requirements. The proposed policy aims to address the R1, R2 and R3 zoning districts.



Map of R1-R3 zoning districts

By lowering the minimum area lot size and width requirements, many more existing parcels can come into conformance with the zoning ordinance than are today. By amending the Article XIII Tables of Intensity and Dimensional Standards, for the R1-R3 districts, the number of parcels that are brought into conformance can greatly increase. Based on the language in the proposed ordinance, a lot would only have to meet one of these dimensional standards to be conforming, that being minimum lot size or lot width. The tables below show the proposed reduction in minimums and the percentage of lots in the city that increase in conformity by the proposed amendment reduction for each zoning district.

Lot Sizes

R1	Percent Conforming	R2	Percent Conforming	R3	Percent Conforming
Current 5,000	35.8%	Current 5,000	11.9%	Current 5,000	13.5%
Proposed 4,000	75%	Proposed 3,200	67%	Proposed 3,200	77%

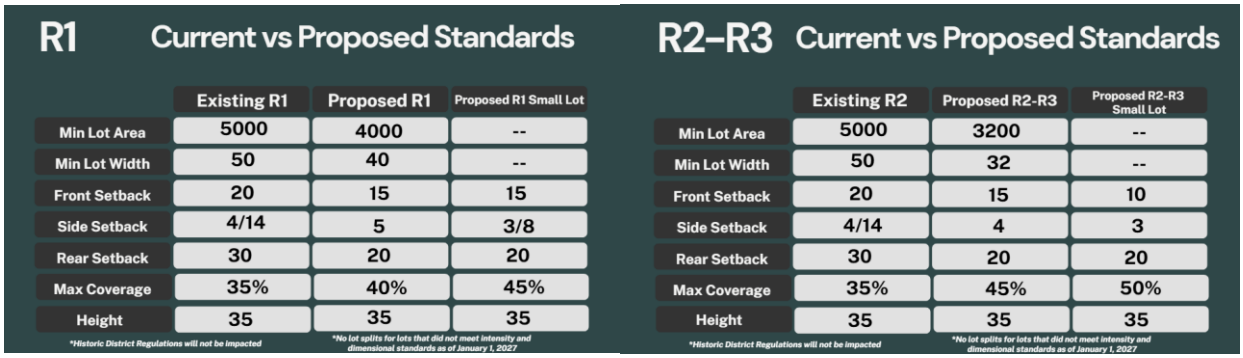
Lot Widths

R1	Percent Conforming	R2	Percent Conforming	R3	Percent Conforming
Current 50’	14.8%	Current 50’	6.8%	Current 50’	6.8%
Proposed 40’	60%	Proposed 32’	48%	Proposed 32’	60%

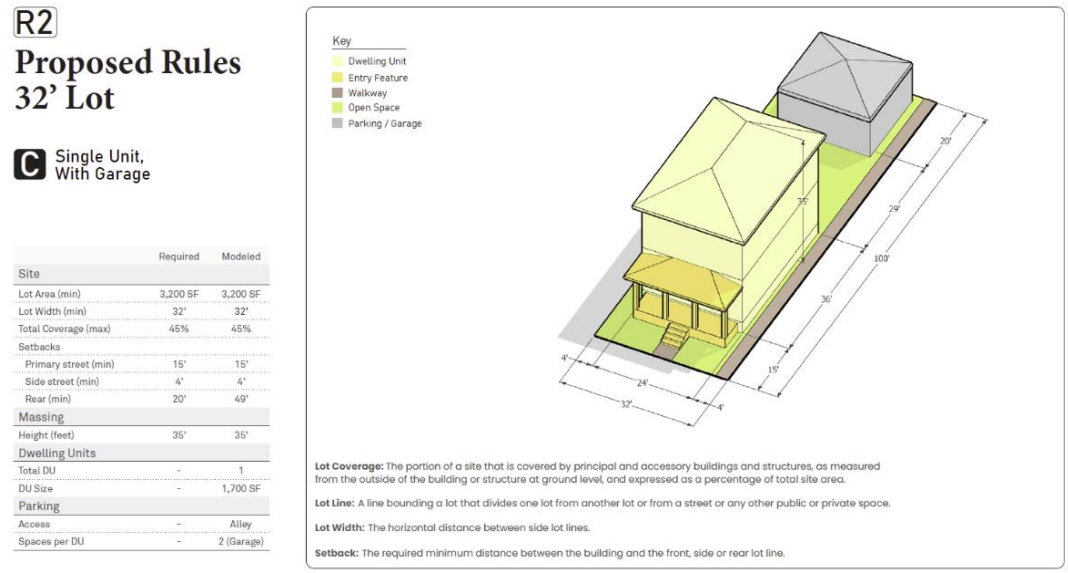
Sections 50-13-2 through 50-13-4

In addition to new minimum lot sizes and widths, the proposal also sets forth new front, side and rear setbacks and new maximum lot coverage standards. This policy separates those dimensions into two categories, those that are essentially standard lots and those that fall below the standard lot minimum, which have historically been referred to as small lots. The new standard lot and small lot standards can be found in Sections 50-13-2 through 50-13-4 in the draft ordinance and are also shown in the graphs below for the R1-R3 districts. These standards will replace the former Sec. 50-13-256 small lot development standards which would be repealed through this ordinance along with other sections.

By reducing the minimum lot area, minimum lot widths, setbacks and increasing the maximum coverage area percentage that buildings can cover, this allows for the parcels in the city to become more viable for building the scale of housing that once existed on many of these lots. The model below is an example of what the proposed R2 dimensions are able to produce. The example is meant to show massing and form, not design as that would depend on the context of the neighborhood and the architectural expression of the designer and builder. See compatibility language below.



Charts of the existing and proposed new R1-R3 dimensional standards



Massing model of home built at proposed R2 dimensional standards

Sec. 50-14-396. Residential compatibility requirement; appearance

Except on block faces where fewer than half of the residential lots contain occupied dwelling units, a new single-family and two-family dwelling units must be generally compatible with other existing dwelling units of the same type on located within 200 feet along the same block face This provision may be satisfied by constructing the subject dwelling unit so that at least three of the six features delineated in this section are of a "common style" to the majority of such neighboring dwellings If a common style is shared for only one or two or three of the features, then the features of the infill dwelling should be similar to each of those. The six features are:

(1) Roof style and overhang, including, but not limited to, gable, mansard, hip, A-frame, flat; 1
(2) Garage orientation and design, whether attached or detached;
(3) Building massing including, but not limited to, shape, height, volume and number of stories ranch with two-story attached garage; two-story with attached garage; bungalow;
(4) Front porches, whether present or not;
(5) Exterior building material; or and
(6) Pattern of window and door openings including, but not limited to, central door and three windows; offset door and four windows.

Sec. 50-13-23 Contextual Setbacks

Although setbacks are reduced, Sec. 50-13-23 *Exceptions to the required depth of front setbacks*, that requires neighboring residential properties within 60 linear feet on either side of the subject parcel to be developed with contextual setbacks within the range of those of the existing homes.

Sec. 50-15-32 Allow Rebuilding of Existing Multi-unit Housing After Fire or Disaster

An additional part of this policy is the proposal to amend Sec. 50-15-32 *Damage or destruction to principal structures containing nonconforming uses*. This section of the ordinance prohibits the re-establishment of a use and rebuilding of non-conforming use other than single-family homes if more than 60 percent of the assessed valuation is damaged or destroyed.

The purpose of this provision is to phase out non-conformities over time. However, it may not be advantageous in the case of residential homes. It may not be the best policy to take away the potential for residents to rebuild their home that is destroyed, although the structure has existed in the community for likely decades or longer. The city should be in the business of facilitating the retention of housing for people in a time such as this. The proposed amendment is to simply allow the current

exemption to be applicable to all residential buildings, instead of only applying to single-family homes. The proposed amended language is shown below:

2) Pursuant to the authority that is specified in Section 208 of the Michigan Zoning Enabling Act, being MCL 125.3208, and notwithstanding Subsection (1) of this section, a nonconforming ~~single family~~ residential dwelling which is damaged or destroyed may be repaired or reconstructed without need for approval by the Board of Zoning Appeals; such repair or reconstruction shall not result in an increase in the gross floor area of the ~~single family~~ residential dwelling as existed at the time that the damage or destruction occurred. No repairs or reconstruction shall be undertaken, unless a building permit for such repairs/construction has been obtained within two years of the date of the damage or destruction.

Other Miscellaneous House Keeping Items

There are other various minor housekeeping items in the draft ordinance. Most are non-substantive, and are aimed to repeal, relocate, and reorganize zoning district intensity and dimensional standards within Article XIII; update standards for features permitted within setbacks; update terms and definitions such as Sec. 50-13-226 Features allowed within required setbacks which deals with access roads, awnings, ornamental features etc. Also, Sec. 50-13-22 *Traffic Safety Sight area* was amended to clean-up language for clarity. Lastly, in Sec. 50-13-3 and 50-13-4, the front and rear setbacks for townhomes are amended to 15 and 20 respectively, to be in alignment with single and two-family homes setbacks as townhomes are also currently permissible in the R2-R3 zoning districts.

COMMUNITY ENGAGEMENT AND INPUT

The community engagement for this initiative has been broad and is still continuing. So far there have been targeted focus group efforts with groups that were involved with the zoning amendments from 2025 as well as others.

There have also been four public meetings so far with additional meetings planned for each district. The meetings held so far are as follows:

Public Meetings

- Mayoral Youth Cabinet (26)
- Faith Based Learning Series (41)
- All-District In-person Meeting (200)
- Virtual Citywide DON-Cast (139)
- District 4 DON (18)

Focus Groups

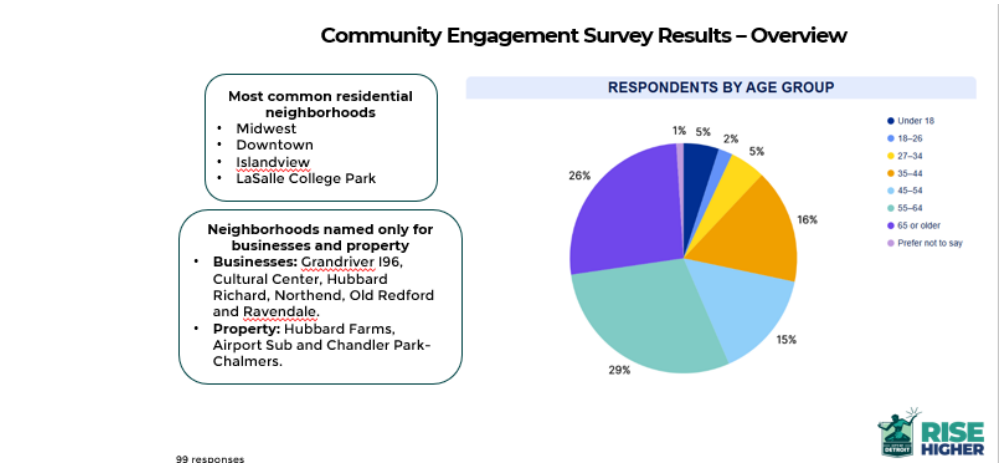
- Mayor's departments
- Council Members and staffs
- Immigrant community Roundtable (23)
- Historic District Alliance
- READ

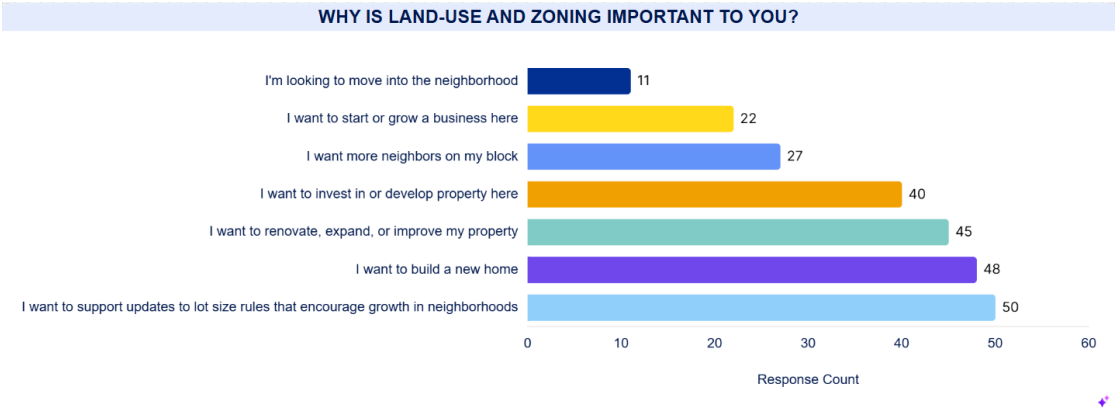
Feedback

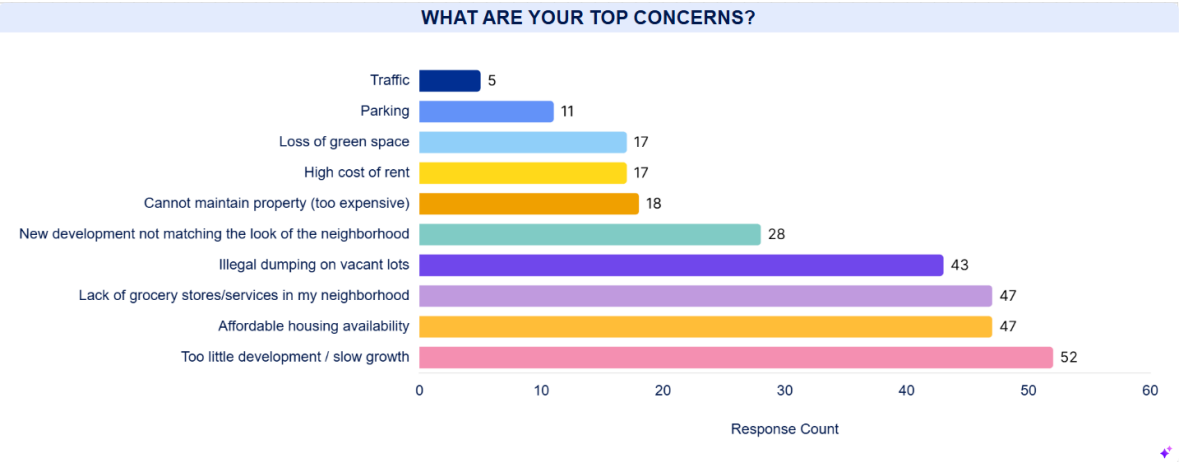
Through the engagement the CPC staff has done with the Mayoral Departments thus far, we have garnered a lot of good feedback which has been overwhelmingly positive with constructive feedback, questions and additions for weighs to enhance the policy and adjacent programs. We have learned that there is a lot of excitement around this effort. Residents want to see growth in their communities, but also want to be able to take part in the growth. A major piece of this has been surrounding questions about processes for land acquisition for Land Bank or City owned properties, streamlined

permitting and development processes. Residents have asked about opportunities to learn about the development process from start to finish and other similar requests. Survey responses can be found below.









Notice of Public Hearing

CPC staff emailed the public hearing notice for this matter to 6,000+ subscribers to CPC updates. We additionally sent a physical mailing out to approximately 1,337 community organizations and block clubs, alerting them of the public hearing for this matter. Lastly, the information has been posted on the CPC website for review. The City has also created a website for this holistic initiative.

ANALYSIS & CONCLUSION

Text Amendment Criteria and Analysis

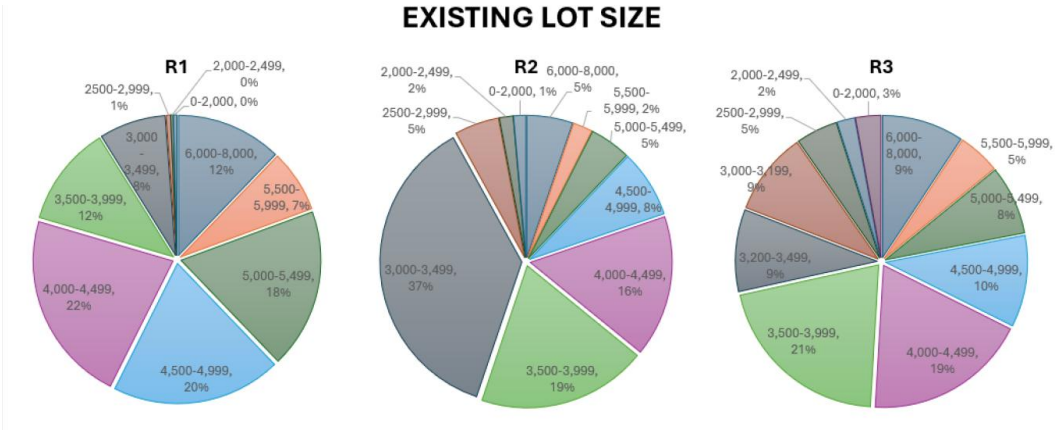
The Zoning Ordinance Sec. 50-3-49 cites that recommendations on all proposed Zoning Ordinance text amendments be based on the following criteria (CPC staff's analysis is in italics):

(1) Whether the proposed amendment is consistent with the stated purposes of this chapter;
According to Sec. 50-1-5 Purpose and intent;, This proposal seeks to make residentially zoned land in R1-R3 easier to build upon while also protecting for the health, safety and welfare of residents. The proposed amendment is in conformance with the purposes of Chapter 50, Zoning, in the fact that it sets forth development standards for land. The proposal seeks to enhance property values by restoring the property to productive use and to prevent incompatible uses by maintaining the same typologies that are currently allowed in the respective zoning districts. The proposed amendment also plans for adequate rear yard surface stall parking or garage parking to limit impacts of unloading and storage on public streets where possible.

(2) Whether the proposed amendment will protect the health, safety, or general welfare of the public; and
The proposed amendment protects the health, safety and general welfare of the public by facilitating the revitalization of neighborhoods that have underutilized land or infill lots that are difficult to develop homes on. This policy will allow neighborhoods to more easily rebuild the fabric of community that once existed. The soft costs and zoning challenges of building housing will be reduced, which will help builders to produce more building stock.

(3) Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend or fact.
The proposed amendment corrects a challenge in that the vast majority of the lots in the city are smaller than the required minimum lot sizes or widths' therefore making them non-conforming. It makes sense that the platted lots should be more aligned with the regulated

dimensional standards in the zoning ordinance, than less than 10% being in conformance with zoning regulations. This ordinance corrects this error or challenge. Additionally, the same approach is applied to setbacks and lot coverage, to make lots more conducive for building homes similar to those that once existed on these lots. Non-conformity rebuilding permissions are also amended in this proposal, to allow for residential buildings to be repaired and rebuilt if damaged or destroyed, even if non-conforming to the district they reside in. This should be permissible without having to seek a BZA grant. This will not apply to commercial or industrial use or structures.



Attachments: Draft Ordinance – Chapters 50

cc: Dara O'Byrne, Interim Director, PDD
Greg Moots, Lead Planer PDD
David Bell, Director, BSEED
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